

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

IN RE:

**JOSE TORRES CAMPOS
OVELIA STOKES CAMPOS**

**CASE NO: 10-10424
HEARING DATE: 06-01-2011
HEARING TIME: 11:00am**

A/K/A:

D/B/A: CAMPOS CONCRETE CONTRACTOR

A/K/A 2:

D/B/A 2:

**NOTICE OF HEARING, PRE-HEARING CONFERENCE AND ATTACHED MODIFICATION OF PLAN AFTER
CONFIRMATION**

NOTICE OF HEARING

On 06-01-2011, which is at least twenty-eight (28) days from the date of service hereof, at 11:00am a **HEARING** on the above and foregoing "Modification of Plan After Confirmation" will be held in

**FOR LIVE COURT
US COURTHOUSE ROOM 2000A
3RD AND PINE
ABILENE, TEXAS 796040000**

**FOR VIDEO COURT
US COURTHOUSE ROOM 2201
3RD & PINE
ABILENE, TEXAS 796040000**

Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A **PRE-HEARING CONFERENCE** will be held at the same location listed above at 8:30am Hearings on Motions to Modify Plans with objections not resolved at the **PRE-HEARING CONFERENCE** will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 U.S.C. 1329 the attached "Modification of Plan" dated 5-2-2011, **will be** approved by the Court as the Debtor's Modified Chapter 13 Plan unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "**Objection to Modification**" should be filed with the Bankruptcy Court at the following address:

**CLERK OF THE BANKRUPTCY CT
1205 TEXAS AVE #306
LUBBOCK, TEXAS 794010000**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

IN RE: JOSE TORRES CAMPOS
 OVELIA STOKES CAMPOS

DEBTOR(S)

*
* CHAPTER 13
* CASE NO: 10-10424-RLJ-13
* HEARING DATE: June 1, 2011
* HEARING TIME: 11:00 A.M.

MODIFICATION OF MODIFIED CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 5-2-2011

Pursuant to 11 U.S.C. 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

HISTORY OF THE CASE

1. Date Case Filed: 11-29-2011
 2. Date of Section 341 Meeting: 1-5-2011
 3. First Payment Date: 12-29-2010
 4. Date of Confirmation: 4-1-2011
 5. Total Plan Term Prior to this Modification: 60
 6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 6
 7. Remaining Plan Term (subtract item 6 from the lessor of item 5 or 60 months): 54
 8. Amount of Arrears through the month prior to the date the Modification is filed: \$2,360.00
 9. Date Plan Payments are to Resume: June 29, 2011 (This must be the same month that the Modification is set for approval by the Court)
 10. Total Payments **Paid** to the Trustee through the month prior to the date the Modification is filed with the clerk: \$12,040.00
 11. Total Payments **Due** to the Trustee through the month prior to the date the Modification is filed with the clerk: \$14,400.00
 12. Total Payments **Due** to the Trustee from the month the Modification is filed to the month the Modification is set for approval \$4,200.00 (May payment)
 13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:
-

II.

MODIFICATION REQUESTED

(check 1 or more of the following 4 choices)

- ☐ Plan payments remain at \$_____ per month.
- ☒ **INCREASE** monthly payment from \$4,200.00 per month to \$4,420.00 per month (must coincide with resume date shown in item 9 above)
- ☐ Extend months from _____ months to _____ months (Not to Exceed 60 Calendar Months from Month of First Payment Date)
- ☐ Add balloon payment of \$_____ in _____ month (indicate how the balloon payment will be made)_____

All modifications which include a balloon payment will require testimony.

- ☒ Debtor's equity in non-exempt property changes from \$0.00 to \$97,379.32.

III.

RESUMPTION OF PAYMENTS TO THE TRUSTEE

(all information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$4,420.00 will resume on or before June 29, 2011 (item 9 above) for 54 months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$245,400.00 to \$257,280.00

If the base amount has changed complete the following:

Total Paid in as of the month prior to Modification Approval:	\$18,600.00
(+) Plus Total Payments to be made through the Remainder of the plan (making up any arrears in item 8 above):	\$238,680.00
(=)New Base Amount	\$257,280.00

IV.

TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2006-1. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

- ☒ The unsecured creditor pool remains \$0.00.

V.

SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class Unsecured Creditor(s):

CODE; A = ADD; D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT =CHANGE TO

Code	Name	Class	Amount	Collateral	Value	Int.	Monthly Payment Surrender Direct
_____	_____	_____	_____	_____	_____	_____	_____

or

 X Check here if no changes are to be made to creditors

Note: Changes to any creditors above shall not be effective until the Modification is Approved.

**VI.
ATTORNEY'S FEES**

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$_____, of which \$_____ will be paid through the Plan by the Trustee.

or

 X Check here if no additional attorney fee has been added for this Modification of Plan after Confirmation.

**VII.
REASON FOR MODIFICATION**

This Modification is requested for the following reason(s):

In response to Report of Debtor Audit, document #45, entered 3-31-2011, citing one or more material misstatements, amended schedules were filed creating non-exempt property in the amount of \$97,379.32.

**VIII.
BUDGET INFORMATION**

No amended schedules I / J or paystubs will be submitted when this modification is filed.

Dated: 5-2-2011

Respectfully submitted,

/s/ Walter O'Cheskey
CHAPTER 13 TRUSTEE

Walter O'Cheskey
 Chapter 13 Trustee
 6308 Iola
 Lubbock, TX 79424
 202-II

IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE NOTHERN DIVISION OF TEXAS
 ABILENE DIVISION

IN RE:

JOSE TORRES CAMPOS & OVELIA STOKES CAMPOS

CASE NO: 10-10424 -RLJ-13

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the attached document was sent via First Class Mail to the below listed parties at the addresses supplied as follows.

Name & Address	Name & Address
JOSE TORRES CAMPOS 1834 UNIVERSITY ABILENE, TX 79603	OVELIA STOKES CAMPOS 1122 WESTHEIMER RD ABILENE, TX 79601-
WEST TEXAS REHABILITATION CTR 4601 HARTFORD ABILENE, TX 79605-0000	INTERNAL REVENUE SERVICE PO BOX 7317 PHILADELPHIA, PA 19101-7317
MONTE J WHITE & ASSOCIATES PC ATTORNEY AT LAW ABILENE 402 CYPRESS SUITE 310 ABILENE, TX 79601-0000	INTERNAL REVENUE SERVICE PO BOX 7346 PHILADELPHIA, PA 19101-7346
BECKET & LEE LLP ATTORNEYS AT LAW 16 GENERAL WARREN, PO BOX 3001 MALVERN, PA 19355-0000	TAYLOR CO CENTRAL APPRAIS DIST 1534 S TREADAWAY BLVD ABILENE, TX 79602-4927
WALTER O'CHESKEY TRUSTEE 6308 IOLA AVENUE LUBBOCK, TX 79424-0000	OFFICE OF THE CH13 TRUSTEE 6308 IOLA AVENUE LUBBOCK, TX 79424-
US ATTORNEY GENERAL 10TH ST & CONSTITUTION AVE WASHINGTON, DC 20530-0000	UNITED STATES ATTORNEY 801 CHERRY STREET UNIT 4 FT WORTH, TX 76102-6882
ABILENE REGIONAL MEDICAL CENTER 6250 HWY 83-84 ANTILLEY RD ABILENE, TX 79606-0000	WILLIAM T NEARY UNITED STATES TRUSTEE 1100 COMMERCE STREET RM 976 DALLAS, TX 75242-0000
US ATTORNEY ATTORNEY IN CHARGE 1100 COMMERCE STREET SUITE 300 DALLAS, TX 75242-1699	WEST CENTRAL TEXAS COLLECTION BUREAU PO BOX 2586 ABILENE, TX 79604-2586
WFNNB 4590 E BROAD STREET COLUMBUS, OH 43213-	WFNNB 8035 QUIVIRA RD LENEXA, KS 66215-
RADIOLOGY ASSOCIATES OF ABILENE PO BOX 2898 ABILENE, TX 79604-2898	ABILENE SPORTS MEDICINE & ORTHOPEDICS 2074 ANTILLEY ABILENE, TX 79606-
WFNNB - FINA PO BOX 2961 SHAWNEE MISSION, KS 66201-	GEMB/WALMART PO BOX 981400 EL PASO, TX 79998-

CERTIFICATE OF SERVICE

ABILENE TEACHERS FEDERAL CREDIT UNION
ATTN GREGORY PECK
PO BOX 5706
ABILENE, TX 79608-

DISCOVER FINANCIAL SERVICES
PO BOX 3025

NEW ALBANY, OH 43054-

MCCREARY VESELKA BRAGG & ALLEN
PO BOX 1269

ROUND ROCK, TX 78680-

MICHAEL REED
MCCREARY VESELKA ET AL
PO BOX 1269
ROUND ROCK, TX 78680-

TARGET NATIONAL BANK
C/O WEINSTEIN & RILEY
PO BOX 3978
SEATTLE, WA 98124-

TARGET NATIONAL BANK
C/O WEINSTEIN & RILEY PS
2001 WESTERN AVENUE STE 400
SEATTLE, WA 98121-

BARCLAYS BANK DELAWARE
ATTN CUSTOMER SUPPORT DEPARTMENT
PO BOX 8833
WILMINGTON, DE 19899-

SHELL OIL
ATTN CENTRALIZED BANKRUPTCY
PO BOX 20507
KANSAS CITY, MO 64195-0507

BANK OF AMERICA
PO BOX 851001

HSBC BANK
PO BOX 5253

DALLAS, TX 75285-

CAROL STREAM, IL 60197-

MEDICAL DATA SYSTEMS I
ATTN BANKRUPTCY
2001 9TH AVE STE 312
VERO BEACH, FL 32960-

PRA RECEIVABLES MANAGEMENT
PORTFOLIO RECOVERY ASSOC
PO BOX 12914
NORFOLK, VA 23541-

PRA RECEIVABLES MANAGEMENT
PORTFOLIO REC ASSOC
PO BOX 41067
NORFOLK, VA 23541-

GEMB/ DILLARDS
PO BOX 981402

EL PASO, TX 79998-

CHASE
201 N WALNUT ST DEL 1027

MICHAEL REED OR LEE GORDON
PO BOX 1269

WILMINGTON, DE 19801-

ROUND ROCK, TX 78680-1269

ABILENE TEACHER FEDERAL CREDIT UNION
2801 N 6TH STREET

DISCOVER
PO BOX 6103

ABILENE, TX 79603-

CAROL STREAM, IL 60197-6103

CANDICA LLC
C/O WEINSTEIN & RILEY PS
PO BOX 3978
SEATTLE, WA 98124-

CANDICA
C/O WEINSTEIN & RILEY
2001 WESTERN AVENUE STE 400
SEATTLE, WA 98121-

CAPITAL ONE
AMERICAN INFOSOURCE
PO BOX 54529
OKLAHOMA CITY, OK 73154-

EXXMBLCITI
ATTN: CENTRALIZED BANKRUPTCY
PO BOX 20507
KANSAS CITY, MO 64195-

CITIBANK USA
ATTN: CENTRALIZED BANKRUPTCY
PO BOX 20363
KANSAS CITY, MO 64195-

SAMS CLUB
BANKRUPTCY
PO BOX 105968
ATLANTA, GA 30348-

TNB
PO BOX 560284

ECAST SETTLEMENT CORPORATION
PO BOX 29262

DALLAS, TX 75356-

NEW YORK, NY 10087-9262

WORLD FINANCIAL NETWORK NATIONAL BANK
PO BOX 248872

GEMB
ATTN BANKRUPTCY DEPT
PO BOX 103104
ROSWELL, GA 30076-

OKLAHOMA CITY, OK 73124-8872

CERTIFICATE OF SERVICE

SEARS/CBSD
PO BOX 6189

SIOUX FALLS,SD 57117-

FIRST PREMIER BANK
PO BOX 5529

SIOUX FALLS,SD 57117-

HSBC BANK NEVADA NA
C/O PRA RECEIVABLES MANAGEMENT LLC
PO BOX 12907
NORFOLK,VA 23541-

Dated: 05/02/2011

/s/ Walter O'Cheskey
Chapter 13 Trustee
By: Kathleen